

Appl. No. 09/914,527
Atty. Docket No. 7471
Amdt. dated 7/27/2004
Reply to Office Action of 04/28/2004
Customer No. 27752

REMARKS/ARGUMENTS

Claims 1-9, 11, 12 and 15 are cancelled. Claims 10, 13, 14, 16 and 17 are now in the application.

Claim 10 has been amended to recite the Na₂ SO₄:Na₂ CO₃ double salt as the inorganic material (basis at Claim 16) and to make it clear that (d) coats the particle core. Claim 10 also recites that the core is an agglomerate made from steps (a) plus (d). Basis is at page 15, line 3. Claim 10 further recites the type of surfactant. Basis is at page 12, lines 1-20. Claims 11, 12 and 15 have been cancelled as redundant in view of these amendments to Claim 10. Claim 16 has been amended to specify that the double salt is Burkeite. Basis is at page 15, line 4. Claim 16 has also been amended to properly depend from Claim 10. (Page and line references are to the WO 00/53714 parent application.) It is submitted that all amendments are fully supported, and entry is requested.

Formal Matters

For the record, there are no objections or rejections under 35USC112 outstanding.

Rejections Under 35 USC 103

Claims 10-17 stand rejected over WO 97/12955, for reasons of record at pages 2-3 of the Office Action.

Claims 10-17 stand rejected over EP 057,611 A2, for reasons of record at pages 3-4 of the Office Action.

Claim 16 stands rejected over '611 A2 in view of '955, for reasons of record at page 4 of the Office Action.

Inasmuch as the relevant elements of Claim 16 are now incorporated into Claim 10, it is presumed that the rejection of Claim 16 would apply to Claim 10 (as amended).

The Examiner's thorough consideration of the cited documents is acknowledged. Nevertheless, Applicant respectfully traverses all rejections.

For the record, it is noted that arguments of fact and law previously made continue to apply. However, those arguments will not be repeated extensively herein, for the sake of brevity. However, Applicant maintains all such arguments in any appeal, should an appeal ultimately prove necessary.

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The teachings of '955 have been discussed previously. The Examiner's position seems to boil-down to the supposition that the process of '955 would result in a coated particle, in the manner of the present invention.

Applicant respectfully submits that this misapprehends the clear teachings of '955. As discussed at page 5 of '955 (beginning line 13) the agglomeration of the particles with the $\text{Na}_2\text{SO}_4 \cdot \text{Na}_2\text{CO}_3$ continues the "fluffing" or "puffing" of the detergent agglomerates. (This, of course, is the desired result, since patentees in '955 are seeking to prepare a low density product – see page 1, line 8.) According to the disclosure at page 5, the "... inorganic double salt becomes embodied in the agglomerates and 'puffs' the agglomerates into a fluffy, light, low density agglomerate particle." [emphasis supplied]

While patentees in '955 are not bound by theory, it is submitted that the foregoing mode of operation makes good sense. On the other hand, it would be difficult to envision how an external coating of the inorganic double salt could possibly "puff" the agglomerates of '955.

Accordingly (and in line with arguments previously presented), it is submitted that '955 neither teaches nor suggests the coated particle of the present invention. Nor is the coated product herein inherently produced in '955, inasmuch as the agglomerates therein comprise the double salt "embodied in" the disclosed agglomerates.

Moreover, since the mode of operation of '955 (embodied in) is entirely different than the mode of operation (coated on) of the present invention, it is submitted that the rejections over '955 cannot stand, as a matter of law. MPEP 2143.01.

The '611 document assertedly relates to the problems associated with spray dried detergent compositions containing soap.

Contrary to '611, the present invention relates to detergent agglomerates, rather than spray-dried products. Moreover, the compositions herein do not contain the soaps of '611.

In any event, the process of '611 admixes the soap-containing spray dried granules with the inorganic coating particles, and then sprays with a binder. (See '611, page 5, lines 28-35 and page 7, lines 8-24. No solution or slurry (element d of the present process) is suggested in the '611 coating step.

Finally, although '611 generically teaches the use of coating particles of various types (page 5, lines 17-26), it does not teach or suggest the $\text{Na}_2\text{SO}_4 \cdot \text{Na}_2\text{CO}_3$ of the present invention.

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In light of the foregoing, it is submitted that the rejections over '611 should be reconsidered and withdrawn.

It is further submitted that the combination of '611 and '955 does not teach or suggest the present invention.

As noted, '955 establishes its inorganic material in the particles of final product. In sharp contrast, '611 establishes its inorganic materials on the outside of the particles of final product. Moreover, '611 does so by a mode of operation (dry mixing-plus-binder) that is entirely different from that of '955 or that of the present invention. (Again, see MPEP 2143.01.) It is respectfully submitted that the Examiner cannot pick-and-choose only those portions of the cited documents which *arguendo* tend to support a hindsight reconstruction of the present invention, while ignoring their clear disclosures to the contrary.

In light of the foregoing, early and favorable action in the case is requested.

Respectfully submitted,

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